

POST COMMISSION MEETING

**Marriott San Francisco Airport Waterfront
1800 Old Bayshore Highway
Burlingame, CA 94010
Thursday, October 20, 2011**

AGENDA

CALL TO ORDER AND WELCOME - 10:00 A.M.

Chair Robert Doyle will call the meeting to order.

COLOR GUARD AND FLAG SALUTE

The Color Guard will be provided by the San Mateo County Sheriff's Department.

MOMENT OF SILENCE HONORING THE OFFICERS WHO LOST THEIR LIVES IN THE LINE OF DUTY SINCE THE LAST MEETING

The following officers died in the line of duty since the last meeting:

- Officer Ryan Stringer, Alhambra Police Department
- Officer Jeremy Henwood, San Diego Police Department

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTION OF POST ADVISORY COMMITTEE CHAIR, POST LEGAL COUNSEL, THE EXECUTIVE DIRECTOR

Chair Doyle will introduce the POST Advisory Committee Chair, POST Legal Counsel, and the Executive Director.

WELCOMING ADDRESS

Greg Munks, Sheriff, San Mateo County, will provide opening remarks.

PUBLIC COMMENT

Chair Doyle will advise the audience of the following:

This is the time on the agenda for public comment. This is time set aside for members of the public to comment on either items on the Commission agenda or issues not on the agenda but pertaining to POST Commission business.

Members of the public who wish to speak are asked to limit their remarks to no more than five minutes each. Please be advised that the Commission cannot take action on items not on the agenda.

ELECTION OF NEW OFFICERS FOR 2011-2012

APPROVAL OF MINUTES

A. Approval of the Minutes of the February Commission Meeting

- Action Summary
- Minutes of the Thursday, June 23, 2011, Commission meeting held at the Doubletree Hotel, Sacramento, California 95815.

CONSENT

B.1 Course Certification/Decertification Report

In approving the consent calendar, the Commission receives the report.

B.2 Report on POST Strategic Plan Implementation

This is a status report on the POST Strategic Plan. The report is provided to the Commission at each regular meeting to summarize the progress in researching and implementing the Strategic Plan.

Of the 20 objectives, staff reports that:

- 18 – Are in progress (being research and/or implemented)
- 1 – On hold
- 1 – Recommended for deletion
- 20 – Total**

One objective is recommended for deletion:

- **Strategic Plan Objective D.2.08** – Establish a futures planning capability within POST.

In approving the Consent Calendar, the Commission accepts the progress report on the Strategic Plan.

B.3 Agency Requesting Entry into the POST Reimbursable Program

- Dos Palos Police Department Public Safety Dispatchers

B.4 Agency Requesting Removal from the POST Reimbursable Program

- Half Moon Bay Police Department

B.5 Update on Federal and State Homeland Security Grants

Staff has previously reported to the Commission on federal and state homeland security grant applications that have been submitted to the California Emergency Management Agency (Cal EMA) and the submission of the applications was approved by the Commission. The Commission also approved the Executive Director's request to encumber and spend the funds received from both the federal and state grants.

In May 2011, Cal EMA approved a grant of \$250,000 from Federal Fiscal Year 2010 grant funds for specific programs and projects. This amount was \$355,065 less than had been requested. A final application has been submitted to Cal EMA and these funds must be encumbered and spent by April 30, 2013.

In June 2011, Cal EMA awarded a total of \$500,000 from unallocated AB 587 Anti-Terrorism funds to POST for a variety of programs and projects. These funds must be encumbered and spent by December 31, 2012.

This item is presented for information only. No action is required.

B.6 Report on the Status of the Pilot Study of Driver Training in the Basic Course

A sub-committee of the Learning Domain (LD) 19 Pilot Advisory Council met in June. The sub-committee conducted an extensive review of the current grading forms. They refined the forms to be exercise specific and to include the new dimensions required by adding a speed component and interference vehicles. The forms will be presented to the Council in September for modifications and approval. Once approved, the new forms will be validated.

During the September meeting, the Advisory Council will complete the update process for the LD 19 Workbook.

In August, POST staff and the LD 19 pilot research team met with training staff at Butte College, the CHP Academy, Sacramento Police Department, Los Angeles Police Department, and San Bernardino Sheriff's Department. The goal of the visits was to assess current training styles and content to identify variables that will need to be accounted for during the Pilot. The team inquired about the use of LEDS in the Basic Course and observed a training session with the Los Angeles Police Academy. The research team will generate a summary of the visits.

This item is presented for information only. No action is required.

B.7 Report on SAFE Driving Campaign

The SAFE Driving Campaign stakeholder groups (the Vehicle Operations & Training Advisory Council [VOTAC], Advisory Board, and Research Team) met during March 2011, in San Diego. Approximately 50 individuals from throughout California and the United States discussed various aspects of Situation-Appropriate, Focused, and Educated (SAFE) Driving for law enforcement officers. The SAFE Driving Campaign stakeholder groups will again meet during October 2011, in Anaheim. A report of the meeting will be provided to the Commission at its' February 2012 meeting.

Members of VOTAC are currently working in collaboration with the Learning Domain (LD) 19 Pilot Advisory Council to enhance driver training curriculum in the Regular Basic Course (RBC). The Advisory Board continues to advance partnerships with law enforcement organizations both in California and nationally to promote initiatives focused on changing attitudes, improving training, increasing accountability, and mobilizing leadership. The Research Team has four significant studies underway: the Fatigue and Distraction study, Agency Culture study, State-Level Differences study, and Officer Epidemiology study. Researchers anticipate having initial information and findings to report in February.

This item is presented for information only. No action is required.

B.8 Report on the Replacement of Force Option Simulators

At the June 2010 meeting, the Commission authorized the Executive Director to initiate steps to replace the aging Force Option Simulator (FOS) systems currently in use at the Regional Skills Training Centers (RSTCs). As part of the process, staff prepared a Budget Change Proposal to seek budgetary authority from the Department of Finance (DOF) and the Legislature to replace the FOS systems using funds contained in the POST reserve. Instead, the DOF authorized POST to use funds contained in its reserve without the need to use the budgetary process.

In August 2011, a Purchase Estimate of three million dollars was submitted to the Department of General Services (DGS) to begin the purchase process including the assignment of an analyst from DGS to work with staff.

Additionally, a committee of eight subject matter resources, including two academy directors, has been created to develop the specifications and facility requirements necessary to support the replacement FOS systems. Committee meetings are ongoing.

This item is presented for information only. No action is required.

B.9 Report on Efforts to Address the Training Needs of Public Safety Dispatchers

Since 2008, POST has taken steps to recognize the contribution that Public Safety Dispatchers continue to make to the mission of law enforcement agencies. The Commission added a Public Safety Dispatcher to the Advisory Committee, staff updated the basic Public Safety Dispatch Course, updated the job task analysis for Public Safety Dispatchers, a Public Safety Dispatch Advisory Council has been established, and several courses were created for in-service Public Safety Dispatchers.

This item is presented for information only. No action is required.

B.10 Report on Training Injury

On July 27, 2011, staff received an informal notification of an injury to a student that occurred on July 21, 2011, in POST-certified course Distraction Device Breaching-Instructor, #1025-3356, presented by International Training Resources (ITR), San Francisco, California. A Visalia Police Department officer was injured during the deployment of distraction devices (commonly called Flash-Bang) to breach a door. The most serious injury is to the right side of the face, including the loss of the right eye and significant damage to the facial bones.

POST staff immediately suspended the certification of the course in which the injury occurred and of other courses involving explosive devices certified to ITR; the presenter was so notified. Staff initiated a review of the incident and the injury.

This item is presented for information only.

B.11 Report on Strategic Plan Objective D.2, Establish a Futures Planning Capability within POST

A work group, the Future Vision Team (FVT), was formed within POST in November 2009 and has been steadily operational since its inception. The goal of the FVT has been to establish a futures planning capability and, in turn, identify emerging trends that may impact peace officer standards and training in 2020. The FVT has acquired the tools and skills necessary for the identification and analysis of trends.

The FVT's work product, a comprehensive report entitled *Preferred Future – 2020*, was reviewed by the Commission at the June 2011 meeting. The report, based upon extensive analysis of trend data, detailed a preferred future state for POST and proposed recommendations for achieving such an outcome. The report, as well as future reports prepared by the FVT, will be integral in support of POST's continuing strategic planning efforts.

The futuring tools and skills of the members of the FVT remain intact. The futuring process will be ongoing and remain a responsibility of the Center for Leadership Development Bureau.

Staff recommends this objective be deleted from the Strategic Plan as completed.

B.12 Resolution

The following individual received a resolution:

- Dave Spisak, retired POST employee

FINANCE COMMITTEE

- C. John McGinnis, Chair of the Finance Committee, will report on the results of the Committee meeting held on Wednesday, October 19, 2011, in San Francisco, California.

BASIC TRAINING BUREAU

- D. Report on Proposed Changes to the Training and Testing Specifications for Peace Officers Basic Courses

As part of an ongoing review of Peace Officer Basic Course content, POST staff and curriculum consultants (academy instructors and other subject matter resources) review Learning Domain (LD) content to determine if revisions are necessary. The Training and Testing Specifications and supporting materials for the Learning Domains have been updated to reflect emerging training needs, compliance with legislatively mandated subject matter, changes in the law, or to improve student learning and evaluation.

The proposed changes affect the following Learning Domains:

LD 3, *Policing in the Community*
LD 12, *Controlled Substances*
LD 20, *Use of Force*
LD 22, *Vehicle Pullovers*
LD 41, *Hazardous Materials Awareness*
LD 42, *Cultural Diversity/Discrimination*

If the Commission concurs, the appropriate action would be a **MOTION** to approve the changes as described in the staff report. If no one requests a public hearing, the changes will become effective July 1, 2012.

Finance Committee Discussion [] Yes [] No Recommended Action [] Yes [] No
Advisory Committee Discussion [] Yes [] No Recommendation [] Yes [] No

E. Report on Proposed Changes to the Field Training Officer Course

Staff and Subject Matter Resources (SMR) conducted a regular review of the 40-hour Field Training Officer (FTO) Course. The course is required to be completed by FTOs prior to training new officers (Regulation 1004(d)). The review of the course also addressed safe driving related subjects.

A four-hour block of instruction was added on how the FTO should train, monitor and evaluate trainees in the safe operation of a law enforcement vehicle. The revised content addresses both general patrol and emergency situations, including the need for seatbelt use, and the practice of *tactical seatbelt removal*. These changes in content were directed by members of the Situation-Appropriate, Focused and Educated (SAFE) driving campaign and the Commission.

The content was added to a new section titled, "Driver Safety," in Procedure D-13-4. The Expanded Course Outline was revised to adjust hours to accommodate the new block of instruction on Driver Safety, while continuing to maintain the course at 40 hours. Ethical considerations were identified and incorporated into each section of the course.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the changes as described in the staff report. If no one requests a public hearing, the changes will become effective July 1, 2012.

Finance Committee Discussion [] Yes [] No Recommended Action [] Yes [] No
Advisory Committee Discussion [] Yes [] No Recommendation [] Yes [] No

EXECUTIVE OFFICE

F. Report on Contracting Procedures

At the February 2011 meeting, some Commissioners questioned the process by which staff selects and contracts with training providers. A staff report on contract procedures was presented to the Finance Committee in June 2011. Following a brief discussion of the issue at the June Commission meeting, the issue was deferred to the October meeting. The staff report that was originally presented to the Finance Committee is provided at this tab.

The issue is presented, as directed, for information and discussion.

Finance Committee Discussion [] Yes [] No Recommended Action [] Yes [] No
Advisory Committee Discussion [] Yes [] No Recommendation [] Yes [] No

G. Request for Approval to Submit Homeland Security Grant Application

Each year the Department of Homeland Security (DHS) provides federal homeland security grant funds to the State. This year California's FY 2011 Homeland Security Grant Program allocation is \$72,983,062.

POST submitted applications for federal grant funding in 2009 and 2010 and received funding to support terrorism-related training for law enforcement. The Federal Fiscal Year (FFY) 2011 grant application packages must be submitted to the California Emergency Management Agency (Cal EMA) no later than October 2, 2011. Staff reviewed training needs and prepared the application package for submittal to Cal EMA. Results of the application process will be reported to the Commission at its February 2012 meeting.

If the Commission concurs the appropriate action would be a **MOTION** to authorize the Executive Director to submit to Cal EMA a grant application for federal homeland security funds for FFY 2001.

Finance Committee Discussion ☐ Yes ☐ No Recommended Action ☐ Yes ☐ No
Advisory Committee Discussion ☐ Yes ☐ No Recommendation ☐ Yes ☐ No

LEARNING TECHNOLOGY RESOURCES BUREAU

H. Report on Proposed Changes to POST Regulation 1052 (b) – Certification of Self-Paced Training

Staff proposes changes to POST Regulation 1052 (b) that will clarify the criteria for the evaluation of e-learning courses to ensure the quality and effectiveness of self-paced training approved for Continuing Professional Training (CPT). It adds language that clarifies what constitutes a complete certification package, and directs presenters to use POST forms that are not specified in the current regulation.

If the Commission concurs, the appropriate action would be a **MOTION** to approve, subject to the Notice of Proposed Regulatory Action process, the changes to POST Regulation 1052 (b), as enumerated in this report.

Finance Committee Discussion ☐ Yes ☐ No Recommended Action ☐ Yes ☐ No
Advisory Committee Discussion ☐ Yes ☐ No Recommendation ☐ Yes ☐ No

STANDARDS AND EVALUATION SERVICES BUREAU

I. Report on POST Regulation Changes to Test Administration and Security Guidelines

As part of POST's response to recent test security compromises, staff has convened an ad hoc committee, the Basic Course Test Task Force, to address testing issues. The task force recently reviewed and suggested modifications to the POST Test Administration and Security Guidelines and the POST Administrative Manual (PAM), Sections B and D. The revised document, re-titled: *POST Basic Courses Test Management and Security Protocols 2012*, includes content changes that strengthen consequences for compromising test material, guidelines to create a policy, the POST Test Use and Security

Agreement, and staff and student contracts. The intent of the title change is to clarify the contents of the document and to avoid misinterpretation of the term “guideline” in the original document. The revised PAM sections not only include changes that strengthen the definition of cheating, but also include the addition of definitions for test reviews and remedial training.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the changes as described in the staff report. Changes will become effective 2012.

Finance Committee Discussion [] Yes [] No Recommended Action [] Yes [] No
Advisory Committee Discussion [] Yes [] No Recommendation [] Yes [] No

J. Report on Strategic Plan Objective C.5, Testing System Replacement Project

In June 2010, the Commission directed staff to complete an Information Technology Feasibility Study to replace its current automated testing system (TMAS) with a modern, enhanced system that is capable of securely supporting all of POST’s testing requirements. In August, staff submitted the Feasibility Study Report to the Department of Finance for approval. The report provides thorough analyses of the current business functions, process, problems, opportunities and proposed solutions. It describes existing and projected financial, technical and infrastructure considerations, with formal project management and risk management plans that specify the steps required to acquire a new system, including the completion of a formal Information Technology (IT) Request for Proposals (RFP) process.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to contract for the completion of an IT RFP process or alternatively an Invitation For Bid (IFB) in an amount not to exceed \$150,000. (**ROLL CALL VOTE**)

Finance Committee Discussion [] Yes [] No Recommended Action [] Yes [] No
Advisory Committee Discussion [] Yes [] No Recommendation [] Yes [] No

K. Report on Contract to Update the POST Medical Screening Manual

Since its first issuance in January 1993, the POST Medical Screening Manual for California Law Enforcement was designed to ensure that future changes and updates could be easily incorporated. To date, responsibility for drafting and finalizing the updated protocol chapters has largely been that of R. Leonard Goldberg M.D., Medical Director for Los Angeles County. However, due to competing responsibilities, Dr. Goldberg has not been able to devote the time necessary to revise outdated chapters, including: 1) Cardiovascular, 2) Infectious Disease, 3) Musculoskeletal, and 4) Respiratory. Due to Dr. Goldberg’s unavailability, POST will prepare a Request for Proposal (RFP) to contract for the services of other individual(s) with expertise in occupational medicine, public policy, employment law, and pre-employment screening of law enforcement

personnel to update these specific chapters. A separate sole source agreement will be established to obtain the services of Dr. Goldberg, who will serve in a limited, oversight capacity to ensure that the revised chapters maintain the same consistency and high quality of the current Manual.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to execute contracts for the services of medical experts and specialists to revise selected chapters of the POST Medical Screening Manual over a two-year period, for a total amount not to exceed \$183,000.
(ROLL CALL VOTE)

Finance Committee Discussion [] Yes [] No Recommended Action [] Yes [] No
Advisory Committee Discussion [] Yes [] No Recommendation [] Yes [] No

L. Report on Contract Request for Basic Course Physical Conditioning Program Support

POST Strategic Plan Objective A.3.02, to research and develop a physical abilities assessment for entry into basic academies, requires a standardized test predictive of student performance on academy physical tasks. In furtherance of this objective, the Physical Training Instructor Course has been revised and was presented during 2010-11. Staff is proposing continued presentations of this course for new instructors in 2011-12, material and lesson plan revisions, a practicum for regional instructor trainers, development and presentation of regional instructor update training, local program implementation workshops, development of a proposal to modularize physical conditioning instructor training, and an annual program review and update.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to enter into a contract with governmental or private entities to support implementation of the Basic Course Physical Conditioning Program, in an amount not to exceed \$175,000. **(ROLL CALL VOTE)**

Finance Committee Discussion [] Yes [] No Recommended Action [] Yes [] No
Advisory Committee Discussion [] Yes [] No Recommendation [] Yes [] No

M. Report on Contract Amendment for Basic Course Competency Test Development, Evaluation and Training

Pursuant to Strategic Plan Objectives A.3.02 and A.8.08, POST staff, in conjunction with committees composed of curriculum advisors and subject matter resources, has been developing competency-based training and testing procedures for the basic course. To date, many aspects of the basic course competency project have been completed, including extensive revision of POST's scenario training and scenario performance evaluation, Training and Testing Specifications for basic course physical conditioning, a new report writing evaluation form, firearms and defensive tactics competencies used in basic course performance

evaluations, testing of updated cognitive entry level tests in POST's Entry-Level Law Enforcement Test Battery (PELLETB), and a pre-offer personality test resource document.

Work still remains to be completed on the evaluation of driver training skills and knowledge, part of POST's SAFE driving campaign to reduce on-duty traffic collisions that result in officer fatalities or career ending injuries. A major portion of this project has been funded through a contract with California State University at Long Beach (CSULB) which will expire by December 2011. Presently all funds have been exhausted.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to amend the existing CSULB contract supporting the Basic Course Competency project to an amount not to exceed \$60,000. **(ROLL CALL VOTE)**

Finance Committee Discussion [] Yes [] No Recommended Action [] Yes [] No
Advisory Committee Discussion [] Yes [] No Recommendation [] Yes [] No

TRAINING PROGRAM SERVICES BUREAU

N. Report on Acceptance and Use of CalEPA Grant Funds for Environmental Crimes Training

The CalEPA is required by statute to transfer funds to POST for the purpose of advancing environmental enforcement training. Over the last several years, POST has developed a course for the Learning Portal, a telecourse and a classroom course that was piloted earlier this year.

As of August 2011, POST has \$112,491 of Environmental Crimes Training Grant Funds with approximately an additional \$25,000 disbursement anticipated prior to the end of 2011. POST can not return the funds nor can these funds be used for purposes other than environmental crimes-related training. POST met with staff from CalEPA. It was jointly determined that CalEPA and POST could host a symposium in the spring of 2012 that would provide an opportunity for more peace officers to receive training on environmental crimes issues and network with other related disciplines such as public health and public works to better collaborate on the enforcement of environmental laws. CalEPA also requested that POST continue to provide for the presentation of the Advance Environmental Crimes Investigations course developed earlier in 2011.

If the Commission concurs, the appropriate **MOTION** would be to authorize the Executive Director to: 1) accept up to \$100,000 of CalEPA grant funds, and 2) enter into a contract with the San Diego Regional Training Center or another

public entity to present a symposium on environmental crimes training and to continue to present the Advance Environmental Crimes Investigations course in an amount not to exceed \$150,000. **(ROLL CALL VOTE)**

Finance Committee Discussion [] Yes [] No Recommended Action [] Yes [] No
Advisory Committee Discussion [] Yes [] No Recommendation [] Yes [] No

COMMITTEE REPORTS

O. Advisory Committee

Laura Lorman, Chair of the POST Advisory Committee, will report on the results of the Advisory Committee meeting held on Wednesday, October 19, 2011, in San Francisco, California.

P. Legislative Review Committee

Jeff Lundgren, Chair of the Legislative Review Committee, will report on the results of the Legislative Review Committee meeting held on Thursday, October 20, 2011, in San Francisco, California.

Q. Correspondence

To POST from:

- John Chiang, Controller, State of California, congratulating POST on receiving a certificate for Achieving Excellence in Financial Reporting for FY ending June 30, 2010.
- Greg Dossey, President, California Academy Directors Association, sent a letter of support to the adoption of the proposed modifications to the Test Security Protocols and Regulations recommended by the Testing Task Force and presented to the Consortium on September 14, 2011.

From POST to:

- Mark Yokoyama, Chief, Alhambra Police Department, expressing sympathy over the tragic on-duty death of Officer Ryan Stringer.
- William Lansdowne, Chief, San Diego Police Department, expressing sympathy over the tragic on-duty death of Officer Jeremy Henwood.

R. Old Business

- Report on the Suspension of a Portion of Regulation 1054.

S. New Business

FUTURE COMMISSION DATES

February 22-23, 2012 – Doubletree Mission Valley, San Diego
June 27-28, 2012 – Courtyard by Marriott – Cal Expo, Sacramento
October 24-25, 2012 – Embassy Suites, Burlingame

CLOSED EXECUTIVE SESSION

- Discussion of Litigation Matter.

ADJOURNMENT